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June 13, 2025

Hon. Dale E. Ho
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Room 905
New York, NY 10007

Application DENIED. The Clerk of Court is respectfully directed to terminate ECF No. 47.

Dated: June 23, 2025
New York, New York



Dale E. Ho
United States District Judge

Re: Psychic Readers Network, Inc. v.
A&E Television Networks, LLC, et al.
Case No. 24-CV-08155 (DEH)

Your Honor:

The parties proceeded with discovery for several months prior to this Court's decision on May 13, 2025 granting a stay of discovery pending a ruling on Defendants' motion to dismiss. We understand the Court's extremely busy schedule and that it will take time to issue a decision. In the interim, we would request that the Court modify the stay in one respect to require Defendants to make their long overdue production.

Despite having two (2) months to do so prior to the stay, Defendants made no meaningful document production. In contrast, Plaintiff has fully responded to and produced documents in a timely fashion per the Case Management Plan. On March 12, 2025, Plaintiff served Interrogatories and Document Demands upon each of the Defendants. Both Defendants are represented by the same counsel. Defendants requested an extension of the time to respond for the stated purpose of collecting and reviewing documents. On April 22, 2025, Defendants served a response to the document demand without documents. Instead, the response merely said "efforts to search for and produce" will be undertaken. After reaching out to Defendants' counsel about when documents would be produced, they amended the response to provide a unilaterally selected date of May 29, 2025. Defendants' counsel stated he picked May 29, 2025 because it was two weeks before fact discovery cut off. The FRCP clearly provides 30 days for production, not 2 weeks before the end of fact discovery.

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In contrast, in response to Defendants' document demand, Plaintiff has provided meaningful production in tranches and completed production of over 600 pages of relevant, non-redundent documents. Defendants now have had the advantage of the time to review Plaintiff's production while withholding their own production pending a decision on the motion to dismiss. In a recent email exchange, Defendants counsel stated they would not agree to produce during the stay.

Thus, Plaintiff respectfully requests the Court to modify the stay to direct Defendants to produce all documents by June 23, 2025 so the parties are on a more even playing field, Plaintiff isn't prejudiced by the stay and the parties can move on quickly to depositions when the stay is lifted. Plaintiff should not be penalized by making timely production and Defendants failing to do so.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Joel R. Dichter', written over a horizontal line.

By: _____

Joel R. Dichter, Esq.

JRD:td